



Smog Check Enhancements—An Overview

MAY 1998

California is implementing enhancements to the Smog Check Program. These enhancements are designed to help improve air quality in the state while keeping the Smog Check Program as consumer-friendly as possible.

Background. When the federal Clean Air Act was amended in 1990, the U.S. Environmental Protection Agency (USEPA) mandated a plan for enhanced emissions testing that would have eliminated inspections at privately-owned Smog Check stations (a \$480 million per year industry in California) and replaced them with a state-run system. Instead, California entered into negotiations with USEPA and eventually devised an alternate plan that was acceptable to USEPA. The program enhancements were passed into law in 1994, and key program elements were outlined in the State Implementation Plan (SIP) revisions approved by USEPA on September 26, 1996. Subsequent legislation has further refined the program. The key Smog Check program elements are:

A Focus on Gross Polluters. A Gross Polluter is a vehicle that far exceeds emissions standards, polluting at least two times the emissions allowed for a particular model and, in many cases, much more. A vehicle identified as a Gross Polluter during a Smog Check must be repaired and have those repairs verified, and the vehicle certified, at a Test-Only Station or a Gross Polluter Certification Pilot Station. Gross Polluters represent 10% to 15% of California vehicles but are responsible for more than half of the state's vehicular smog.

New Test Equipment. In the smoggiest areas of the state (Enhanced Areas), new Smog Check test equipment (BAR-97) is required to certify vehicles. It features a dynamometer, which is essentially a treadmill used to simulate actual driving conditions. A new test, called Acceleration Simulation Mode (ASM), will be performed on this new equipment in order to detect oxides of nitrogen (NOx) emissions. California must begin NOx testing, in addition to the carbon monoxide and hydrocarbon testing performed since 1984, because NOx is a key ingredient in smog formation (it makes the smog look brown).

Enhanced Areas include: all of Orange County; southern Ventura County; western San Diego County; most of Los Angeles county; parts of Riverside and San Bernardino counties; and the urbanized areas of Sacramento, Fresno, Stockton, Modesto, Bakersfield, Davis, Vacaville, Palm Springs, and Hemet-San Jacinto.

High Emitter Profile. State law requires that 15% of all vehicles in Enhanced Areas of the state be directed to Test-Only Stations. Most of these vehicles will be selected because they meet the criteria of a high-polluting vehicle that is likely to fail its next Smog Check. Using a computer model called a High Emitter Profile (HEP) that includes data from previous Smog Checks, as well as data about many different aspects of vehicles, the Bureau of Automotive Repair determines which vehicles are sent to Test-Only Stations. All other vehicles requiring emissions testing can continue to use licensed test-and-repair stations.

Test-Only Stations. Test-Only Stations are privately-owned Smog Check stations licensed by the Department of Consumer Affairs/Bureau of Automotive Repair (DCA/BAR) to inspect and certify vehicles, including Gross Polluters. However, they do not provide any repair services. They are also the only stations permitted to certify High Emitter Profile vehicles.

Gold Shield Guaranteed Repair Program. Gold Shield Guaranteed Repair stations are licensed Smog Check facilities that meet high performance standards and guarantee the repairs they make on Gross Polluters.

Gross Polluters—Vehicles that far exceed state and federal emissions standards. Though they represent approximately 10% to 15% of California vehicles, they are responsible for over half of all vehicular smog. Repairs to these vehicles must be verified at a Test-Only Station or Gross Polluter Certification Pilot Station.

Enhanced Areas—California's smoggiest urbanized regions which currently do not meet federal or state air quality standards for ozone and carbon monoxide. Fifteen percent (15%) of the vehicles in these areas are required to have their biennial Smog Checks performed at a Test-Only Station. All vehicles in these areas will be tested for another unhealthy smog-forming pollutant, NOx, by using a treadmill-like device called a dynamometer.

Basic Areas—Motorists in these less smoggy areas will experience few changes in their Smog Checks. Biennial testing at a licensed test-and-repair station remains the same.

Change-of-Ownership Areas—These areas will continue to require emissions testing only when a vehicle is sold or an out-of-state vehicle is registered for the first time in California.

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Electronic Transmission (ET) of Smog Certificates. ET enables Smog Check stations to electronically transmit smog certificates directly to the Department of Motor Vehicles without the burden of paper certificates. This system is not only more convenient to motorists but also decreases the potential for fraudulent Smog Check activities.

Remote Sensing Devices (RSDs). DCA/BAR is currently evaluating RSD testing for use throughout the state to measure on-road vehicle emissions. The RSD is one of the tools required by law to identify probable gross-polluting vehicles in between regular test cycles.

Financial Assistance Programs. If a vehicle fails a Smog Check inspection, but the owner cannot afford to make the repairs, state law provides the following programs as temporary financial relief:

- **Repair Cost Waiver.** The Repair Cost Waiver allows a vehicle to be registered immediately without passing its Smog Check. To be eligible for this two-year waiver, a vehicle owner must first make emissions-related repairs to the vehicle at a licensed repair station. Currently, the amount required to be spent on needed emissions-related repairs to obtain a waiver varies depending on the area in which the vehicle is registered. In most Enhanced Areas, a sliding scale between \$90 and \$450 is used to determine the amount which must be spent. In all other areas, the amount is \$450. Later in 1998, the amount becomes \$450 in all areas of the state. The owner then brings the vehicle and all repair-related invoices to one of the state Consumer Assistance and Referee (CAR) Centers, where the vehicle is inspected (a fee may be charged) to verify that emissions-related repairs were done. If the vehicle still does not pass its Smog Check, a waiver may be issued. The waiver may only be issued one time during a motorist's ownership of a particular vehicle.
- **Economic Hardship Extension.** In areas of the state where the \$450 waiver is in effect, an Economic Hardship Extension is available. Like the Repair Cost Waiver, it allows a vehicle to be registered immediately without passing its Smog Check inspection and gives a vehicle owner up to two years to complete the repairs needed to bring the vehicle into compliance with emissions standards. To obtain an extension, a vehicle must be brought to a Consumer Assistance and Referee Center where tests may be performed. The Economic Hardship Extension may only be used once by an owner during his or her ownership of a vehicle and may not be used if a Repair Cost Waiver was issued in the previous Smog Check inspection.

Starting in late 1998, low-income motorists will need to verify their economic status—defined as being within 175% of the federal poverty level (about \$27,000 annually for a family of four)—and may be required to spend up to \$250 in repairs receiving an Economic Hardship Extension.

Neither the Repair Cost Waiver nor the Economic Hardship Extension can be obtained if the vehicle has a tampered emissions system, is being registered for the first time in California, or is being sold. To obtain either a Repair Cost Waiver or an Economic Hardship Extension, a motorist must make an appointment with a Referee Center by calling 1-800-622-7733.

- **Low Income Repair Assistance Program.** Recent legislation requires DCA/BAR to create a Low Income Repair Assistance Program to help qualified low-income motorists pay for emissions-related repairs. The program will be funded by the Smog Impact Fee collected on out-of-state vehicles being registered for the first time in California and will help pay for vehicle repairs that are cost-effective and maximize clean air benefits. The motorist must make a \$250 co-payment, and DCA/BAR will pay an additional amount up to \$450. Repairs must be performed at a Gold Shield station.

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Vehicle Exemptions—Legislation exempts cars built in model year 1973 and earlier from all aspects of the Smog Check Program. Also, cars four model years old and newer are exempted from the biennial requirement but still must have Smog Checks performed when the vehicle is sold or being registered for the first time in California.